

Article - Education

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§2–202.

(a) The State Board consists of 13 regular members, and 1 student member, appointed by the Governor with the advice and consent of the Senate.

(b) (1) In making appointments to the State Board, the Governor shall consider representation from:

(i) All parts of this State; and

(ii) Areas of this State with concentrations of population or unique needs.

(2) Except as provided in paragraphs (4) through (6) of this subsection, the members of the Board shall be appointed from the general public.

(3) The following individuals may not be appointed to the Board:

(i) Except for the teacher member and student member, any individual who is subject to the authority of the Board;

(ii) The Governor; and

(iii) The State Superintendent.

(4) (i) Of the 13 regular members of the State Board, one regular member shall be a certified teacher who is actively teaching.

(ii) The Governor shall appoint the teacher member, with the advice and consent of the Senate, who received the highest number of votes after an election by teachers in the State.

(iii) The Department shall provide notice of a teacher member vacancy on the State Board to:

1. All certified teachers who are actively teaching in the State; and

2. All teachers' organizations representing teachers in the State for purposes of collective bargaining.

(iv) 1. The election shall be conducted under regulations that the Department adopts.

2. The Department may consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct the election required under this subparagraph.

(v) The teacher member may attend and participate in an executive session of the State Board.

(vi) The teacher member may not vote on any matter that relates to appeals to the State Board under § 6–202 of this article.

(5) (i) Of the 13 regular members of the State Board, one regular member shall be the parent of a student enrolled in a public school in the State.

(ii) The Governor shall appoint the parent member, with the advice and consent of the Senate, from a list of three qualified individuals submitted to the Governor by the Maryland PTA.

(iii) The Department shall provide notice of the parent member vacancy on the State Board to the Maryland PTA.

(iv) The parent member may attend and participate in an executive session of the State Board.

(6) The student member shall be selected by the Governor from a list of 2 persons nominated by the Maryland Association of Student Councils.

(c) (1) The student member shall be:

(i) A regularly enrolled student; and

(ii) In good standing in a public high school in the State.

(2) The student member may attend and participate in an executive session of the Board.

(3) The student member may not vote on any matter that relates to:

(i) The dismissal of or other disciplinary action involving personnel; or

(ii) Appeals to the State Board under § 2–205 of this subtitle or § 4–205 or § 6–202 of this article.

(d) (1) Each regular member serves for a term of 4 years and until a successor is appointed and qualifies. These terms are staggered as required by the terms of the members serving on the State Board as of July 1, 1989.

(2) The Governor shall appoint a new member to fill any vacancy on the Board for the remainder of that term and until a successor is appointed and qualifies.

(3) A member is eligible for reappointment but may not serve for more than two full 4–year terms.

(4) The student member shall serve for a term of 1 year. A student member is eligible for reappointment but may not serve more than two full 1–year terms.

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